

Message Text

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DRAFTED BY EA/K:RGRICH:FLW
APPROVED BY EA - MR. OAKLEY
L/EA - EVERVILLE
S/S - 0 - MR. VALERGA
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FM SECSTATE WASHDC
TO AMEMBASSY SEOUL PRIORITY
INFO USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 058591

EXDIS

E.O. 11652: GDS

TAGS: PGOV, PDIP, KS, US

SUBJECT: ROK EMBASSY PROTESTS ALLEGED HARASSMENT OF
FORMER DIPLOMAT

1. ROK EMBASSY ON MARCH 4, ACTING UNDER INSTRUCTIONS FROM SEOUL, PROTESTED TO DEPARTMENT ALLEGED HARASSMENT OF A FORMER ROKG DIPLOMAT AT THE UN BY FRASER SUBCOMMITTEE.
2. ACCORDING TO THE EMBASSY, MR. LEE YONG-IN, FORMER COUNSELOR AT ROK OBSERVER MISSION AT THE UN WHO RESIGNED FOR PERSONAL REASONS IN DECEMBER 1977 AND IS NOW LIVING IN NEW YORK AS PRIVATE CITIZEN HAD BEEN APPROACHED IN RECENT DAYS BY FRASER SUBCOMMITTEE STAFF SEEKING LEE'S TESTIMONY BEFORE THE COMMITTEE REGARDING OFFICIAL MATTERS WITH WHICH HE WAS ASSOCIATED OR KNEW ABOUT WHILE IN DIPLOMATIC STATUS. UPON INFORMING THE STAFFER THAT IT WOULD NOT BE APPROPRIATE
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FOR HIM TO TESTIFY REGARDING HIS FORMER RESPONSIBILITIES, MR. LEE WAS ALLEGEDLY THREATENED WITH A SUBPOENA AND WITH REPERCUSSIONS AFFECTING HIS PERMANENT RESIDENCE APPLICATION. THE CONTACT WAS TO HAVE BEEN RENEWED MARCH 7.

3. THE ROK EMBASSY REQUESTED APPROPRIATE STEPS BE TAKEN TO SAFEGUARD LEE'S IMMUNITY UNDER INTERNATIONAL LAW FROM

BEING REQUIRED TO TESTIFY REGARDING HIS OFFICIAL DUTIES

WHILE IN DIPLOMATIC STATUS.

4. IN RESPONSE TO THESE REPRESENTATIONS, WE HAVE CLARIFIED LEE'S RIGHTS TO THE ROK EMBASSY. AS A PRIVATE CITIZEN, HE COULD BE SUBPOENED, BUT HE COULD NOT BE REQUIRED TO TESTIFY ON MATTERS INVOLVING HIS PREVIOUS OFFICIAL DUTIES. HE COULD NOT BE HELD IN CONTEMPT OR OTHERWISE PENALIZED BY THE USG FOR ASSERTING IMMUNITY. SEPARATELY, DEPARTMENT'S LAWYERS HAVE CONTACTED FRASER SUBCOMMITTEE STAFF AND DISCUSSED THE CASE. WE ARE ASSURED THAT THERE WILL BE NO HARASSMENT OF MR. LEE AND THAT HIS RIGHT NOT TO DISCUSS OFFICIAL MATTERS WILL BE RESPECTED.

5. WE CONSIDER THIS TO CLOSE THIS MATTER. WE WILL INFORM THE ROK EMBASSY TO THAT EFFECT TODAY.

6. ABOVE IS FOR YOUR INFORMATION. IF SUBJECT ARISES IN THE FUTURE YOU MAY ASSURE ROKG THAT WE WILL ACT TO PROTECT RIGHTS OF DIPLOMATS AND FORMER DIPLOMATS IF MATTER IS BROUGHT TO OUR ATTENTION. HOWEVER, THIS DOES NOT PRECLUDE NON-COERCIVE CONTACTS BY INVESTIGATORS OR ANY PURELY VOLUNTARY COOPERATION WHICH MAY BE OFFERED BY INDIVIDUALS. VANCE
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